

GOVERNMENT OF ANDHRA PRADASH

**ABSTRACT**

Public Servants – Panchayat Raj & Rural Development Department- Sri K.V.V. Satyanarayana, Junior Assistant (now under dismissal) – Conviction in criminal charge – Dismissed from service – Appealed before Hon'ble Tribunal – Acquitting from criminal charges – Reinstatement into service with payment of back wages with effect from common orders of the Hon'ble High Court, dated:- 8-7-2010 in Criminal Appeals Nos: 81 and 82 of 2003. – Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.IV) DEPARTMENT

G.O.Rt.No. 289

Dated:- 17 -02-2012

Read the following:-

- (1) Govt.Memo.No. 3531/Vig.IV.A1/2004, Dt:- 01-07-2008.
- (2) From the CEO., ZPP., WG Dist., Procdgs No. H4/3839/ 2008, dt:- 11-11-2008
- (3) Common orders of Hon'ble High Court, dt:- 8-7-2010 in Crl. Revn. No. 1283/2004.
- (4) Orders of Hon'ble APAT. Dt:- 29-10-2010 in OA No. 9452/ 2008.

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**ORDER:-**

In the reference 1<sup>st</sup> read above, the Chief Executive Officer, Zilla Parishad, West Godavari District, was directed to dismiss Sri K.V.V. Satyanarayana, Junior Assistant, Zilla Praja Parishad, West Godavari District, from service under APCS (CC&A) Rules, 1991 on his conviction in criminal charges. Consequently, the Chief Executive Officer, Zilla Parishad, West Godavari District, Eluru, vide reference 2<sup>nd</sup> cited, has issued proceedings dismissing Sri K.V.V. Satyanarayana, Junior Assistant from service.

2. Aggrieved by the dismissal orders, Sri KVV Satyanarayan, Junior Assistant (u/s) has filed OA No: 9452/2008 in the Hon'ble Andhra Pradesh Administrative Tribunal,

3. As the matter stands thus, the Hon'ble High Court in the case in 1282 & 1283/2004 & other similar cases, issued common order dated: 8-07-2010. The operative portion of the order is as follows:-

4. *Accordingly, the Criminal Revision Cases are allowed setting aside the judgment, dated:- 30-07-2004 in Crl.A.Nos: 81 and 82 of 2003, on the file of III Additional Sessions Judge (Fast Tract Court) Visakapatnam. The petitioners are found not guilty of the offences punishable u/s 468 and 471 r/w 34 IPC and accordingly, they are acquitted of the same. Bail bonds of the petitioners/A1 and A2 shall stand cancelled. Fine amount, if any, paid shall be returned to them.*

5. On 29-10-2010, the Andhra Pradesh Administrative Tribunal, in OA No: 9452/2008 has also delivered the judgment and the operative portion of that judgment is as follows:-

6. *In view of the orders of the Hon'ble High Court, the applicant stood acquitted of the criminal charges as the judgment in Crl.A.Nos: 81 and 82 of 2003, dated:- 30-7-2004 of the lower appellate court is set aside. In view of this the respondents are duty bound to reinstate the applicant into service as the conviction was the sole basis for dismissing the applicant from service by invoking Rule-25 of the APCS(CC&A) Rules, Having regard to the circumstances obtaining in this case, the impugned order in Rc.No: H4/3829/2008, dated:- 11-11-2008 is hereby set aside. The respondents are directed to pass appropriate orders in the matter of reinstatement of the applicant in accordance with rules.*

7. Hence, Sri K.V.V. Satyanarayana, Junior Assistant (under dismissal) has appealed before the Government stating that the Hon'ble High Court of the Andhra Pradesh, have issued judgment on 8-7-2010 acquitted him from the criminal case, and the Hon'ble Andhra Pradesh Administrative Tribunal, set aside the dismissal orders. Hence, considering the circumstances submitted above, he requested to issue orders reinstating him into duty and also to be considered to treat the period of suspension as duty.

(PTO)

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8. Government, after careful examination of the matter, keeping in view the above orders of the Hon'ble Courts, i.e., common order of Hon'ble High court of Andhra Pradesh, dated:- 8-07-2010 in Crl., A.Nos 1282 & 1283/2004 & other similar cases and the Hon'ble Andhra Pradesh Administrative Tribunal, order, dated:- 29-10-2010 in OA No. 9452/2008, taking into consideration of the views of the advisory departments and material on record decided and accordingly hereby order to reinstate Sri K.V.V. Satyanaryana, Junior Assistant, into service with payment of back wages with effect from 8-7-2010 i.e., the date of the common orders of the High Court, in Crl.A.Nos: 1283 & 1284 Of 2004 & similar cases.

9. The Chief Executive Officer, Zilla Parishad, West Godavari District shall take necessary further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**C.R.BISWAL  
PRINCIPAL SECRETARY TO GOVERNMENT**

**To**

**Sri K.V.V.** Satyanarayana, Junior Assistant, through the Chief Executive Officer, Zilla Parishad, West Godavari District, Eluru.

The Chief Executive Officer, Zilla Parishad, West Godavari District, Eluru

**Copy to:-** The Commissioner of Panchayat Raj & Rural Employment, Hyderabad,  
The Government Pleader for Panchayat Raj, APAT., Hyderabad,  
The Secretary to APVC., Hyderabad  
Sf/Sc.

**// FORWARDED BY ORDER//**

**SECTION OFFICER**